

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BRANCH BANKING & TRUST CO.,

Plaintiff(s),

vs.

COOLIDGE 234, LLC, et al.,
 Defendant(s).

Case No. 2:12-cv-01707-MMD-NJK

ORDER RE: MOTION TO
 WITHDRAW

(Docket No. 34)

Pending before the Court is a motion to withdraw as attorney. Docket No. 34. Any response shall be filed no later than August 20, 2013. The Court hereby **SETS** a hearing on the motion for August 27, 2013, at 11:00 a.m. in Courtroom 3C. Defendants' attorneys, as well as Juli Koentopp, Bradley Shultis and a corporate representative of Coolidge 234, LLC, are hereby ordered to attend the hearing. Any new counsel retained to represent Defendants in this matter is also ordered to attend. **THERE WILL BE NO EXCEPTIONS TO THESE APPEARANCE REQUIREMENTS.** No later than August 20, 2013, Defendants' current counsel of record shall notify Defendants of this order that they appear and shall file a proof of service. With respect to Defendant Coolidge 234, LLC, the Court wishes to highlight that corporations may appear in federal court only through licensed counsel. *United States v. High Country Broad. Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993).

In addition, it appears that at least one of the individual defendants is currently in bankruptcy proceedings subject to an automatic stay. *See* Docket No. 31 (proof of service of notice of bankruptcy); *see also* Docket No. 33 at 1 n.1 (indicating that both Juli Koentopp and Bradley Sultis have filed bankruptcy petitions). The Court is not inclined to grant a motion to withdraw as to these parties without authority indicating that it is appropriate to do so during the pendency of that stay.

1 *See Grzywa v. Alliance Mechanical, Inc.*, 2:11-cv-00030-APG-NJK (D. Nev. June 25, 2013)
2 (Docket No. 95); *see also Rio America Trading Corp. v. Hollywood Film Co.*, 2012 U.S. Dist. Lexis
3 172973, *1 (C.D. Cal. Dec. 4, 2012) (rejecting motion to withdraw filed during pendency of
4 automatic stay because no authority was cited indicating that it could be decided). As the pending
5 motion fails to address this issue, Defendants' attorneys are hereby **ORDERED** to file an additional
6 brief doing so, no later than August 20, 2013.¹

7 Lastly, Plaintiff filed a motion for summary judgment against Coolidge 234, LLC, on July
8 31, 2013. *See* Docket No. 33. The deadline for responding to that motion is hereby **VACATED**.
9 The Court will set a new deadline for responding to the motion after resolving the motion to
10 withdraw.

11 IT IS SO ORDERED.

12 DATED: August 15, 2013

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16 NANCY J. KOPPE
17 United States Magistrate Judge
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28 ¹ To the extent Plaintiff has a position on the issue, it may address it in any responsive papers it files.